



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TDD #: (608) 264-8777

Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 55
Comm #: 53203-1399-34-A
BRRTS #: 03-41-152590
Site Name: Milwaukee Turners Hall
Site Address: 1048 North 4th Street, Milwaukee, 53203
Site Manager: John Hnat
Address: 2300 North Dr. Martin Luther King Jr. Drive
City, State Zip: Milwaukee, WI 53212-3128
Phone: 414-263-8644
e-mail: John.Hnat@Wisconsin.gov
Bid Manager: Stephen Mueller
Address: 9316 North 107th Street
City, State Zip: Milwaukee, Wisconsin 53224-1121
Phone: (414) 357-4704
e-mail: Stephen.Mueller@Wisconsin.gov

Bid-Start Date:	June 9, 2008
Questions must be received by (See Section 2 (B)):	June 23, 2008 4:00 PM
Responses will be posted by (See Section 2 (B)):	July 11, 2008
Bid-End Date and Time:	July 25, 2008 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Milwaukee, 757 North Broadway, Suite 200, Milwaukee, WI 53202
Phone: (414) 276-2679 Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

General Comments

Milwaukee Turner Hall (MTH) is located in downtown Milwaukee on the west side of the Milwaukee River. The site is bordered to the north by West Highland Avenue and a multi-story parking structure, to the west by North 4th Street and the Bradley Center Arena, and to the east by an alleyway and Mader's Restaurant.

A known source area at the site is a former gasoline station that was located in MTH's current parking lot area on the north side of their building. A 1,000-gallon and two 550-gallon gasoline underground storage tanks (USTs) were removed in June 1997. No contaminated media were removed at the time.

Based on Sandborn Fire Insurance Maps, a second possible source area may be former gasoline USTs that, as of 1951, were located in the current parking lot area of Mader's Restaurant, located immediately east of the MTH parking lot. The status of the gasoline USTs is unknown.

Soils underlying the site reportedly consist of disturbed native soils or cohesive fill material underlain by organic rich silts to sandy silts and lake marl deposits underlain by clayey-silty sands with shell fragments. Groundwater levels occur from 10 to 12 feet bgs. Groundwater flow is east-northeast from the site towards the Milwaukee River located one block east of the site. Numerous utilities are located beneath and adjacent to West Highland Avenue and Old World Third Street (east of Mader's Restaurant). The utilities are mainly present at elevations above the water table.

The extent of groundwater contamination has been defined to the north, south, and west of the former UST system area on the MTH property, but not to the northeast to southeast of the Mader's property. MW-4, located in the northeast corner of the MTH parking lot contained measurable free-product (0.5-1.5 inches) during two of 13 sampling events and its nested piezometer (PZ-6) appears to be exhibiting an increasing benzene concentration trend. MW-10 in the middle of the Mader's parking lot and MW-13 midway along the north wall of Mader's restaurant are located west of the Mader's former UST area and have exhibited the highest groundwater contaminant concentrations east of the MTH property, while MW-12, located in the immediate vicinity of the former Mader's USTs, has exhibited much lower groundwater contaminant concentrations.

Three additional soil borings/monitoring wells, MW-16 thru MW-18, were installed along Old World Third Street in December 2005. Two of the borings were reported to be "clean," based on soil sample analytical results (MW-18) and unsubstantiated field observations (MW-16), while the MW-17 boring exhibited elevated petroleum contaminant levels at 11-12 feet bgs, roughly the water table smear zone depth. MW-17 is located directly east of the Mader's former UST area. Unfortunately, the work scope was not completed and these three wells have yet to be sampled and analyzed for groundwater quality.

Minimum Remedial Requirements

General Summary of Scope of Work: Task 1 – survey of monitoring wells, Task 2 – groundwater monitoring, and Task 3 – reporting and PECFA claim, with Contingencies Tasks for additional monitoring well installation and sampling.

TASK 1: Survey of Monitoring Wells

Survey all site monitoring wells and the piezometer according to the requirements in ch. NR 141, Wis. Adm. Code. Prepare revised site maps to show accurate well locations.

TASK 2: Quarterly Groundwater Monitoring

Develop new wells MW-16, MW-17 and MW-18 and conduct four (4) quarterly rounds of groundwater sampling for laboratory analysis, as follows:

Well	1st round	2nd round	3rd round	4th round
New monitoring wells (MW-16, 17, & 18); Existing wells (MW-1, 2, 4, 5, 10, 11, 12, 13, 14, 15, & PZ-6)	Yes	Yes	Yes	Yes
Existing wells (MW-3, 7, 8, & 9)	Yes	No	Yes	No

Laboratory analyze the groundwater samples for PVOC plus naphthalene (and soluble lead for the first round only).

Measure groundwater elevations in **all** the wells (including PZ-6), and report the data in tabular form. Prepare water table maps showing groundwater flow for each sampling round.

TASK 3: Reporting

Prepare a brief preliminary report of sampling results after two quarters of monitoring are complete. The report will include, but is not limited to, a soil results table, updated groundwater data (lab results, water level elevations) tables, groundwater flow maps, groundwater and soil contamination isoconcentration maps, soil boring and well construction logs, etc. The report will be submitted to the WDNR and a copy sent to Commerce. The report will be used to determine if additional monitoring wells will be required to delineate the extent of contamination.

Do not conduct the 3rd and 4th groundwater monitoring events without prior written authorization from the DNR case manager.

Upon completion of the fourth groundwater monitoring event, prepare a final report documenting all remaining activities conducted per the bid scope of work and including updated versions of data tables and maps and all supporting documentation (e.g., lab reports, chain-of-custody forms, etc.).

Properly store and dispose/treat all contaminated water generated at this site as part of the bid scope of work, and provide proper documentation to the DNR. Assume 6 drums of development/purge water.

The preliminary report must be submitted to the WDNR (copy to Commerce) no later than seven (7) months after a contract has been executed between the site owner (or responsible party) and the company contracted to conduct the bid scope of work. The final report must be submitted no later than two (2) months after completion of the last round of groundwater monitoring.

Complete Web Reporting (See <http://commerce.wi.gov/ER/ER-PECFA-SiteReporting.html>) as appropriate and a PECFA claim for bid scope of work completed.

Contingency Task(s):

Groundwater Monitoring Well Installation (2 wells)

If required, these monitoring wells will likely be installed on the east side of Old World Third Street, at locations to be determined by the DNR case manager. The wells will be installed according to ch. NR 141 requirements.

Obtain right-of-entry agreements and/or permits from the City of Milwaukee and/or other government or private parties as necessary for the installation of the monitoring wells. Contact the WDNR case manager immediately if difficulties obtaining access occur.

The monitoring well soil borings will be continuously sampled from the surface downward and field-screened for volatile contamination. Assume the soil borings will be drilled to 20 feet bgs, based on historical depths to groundwater of 10-12 feet bgs.

Collect at least two (2) soil samples from each boring for laboratory analysis of petroleum volatile organic compounds (PVOCs) plus naphthalene and lead. The laboratory samples will be collected from 1) the zone of highest obvious contamination (typically the water table smear zone) and 2) the bottom of the well borehole.

Complete boring logs, well construction diagrams, and well development forms for the newly constructed wells. Installation and development of the wells must comply with ch. NR 141, Wis. Adm. Code. Soils must be characterized and field screened for volatile contamination throughout the entire length of the borings.

Survey the ground surface and measuring point elevations and locations of the new monitoring wells relative to the existing site monitoring wells. Prepare revised site maps that accurately show all well locations.

Conduct two rounds of quarterly groundwater monitoring concurrent with rounds 3 and 4, as discussed above.

Regarding the 2nd Page of the Bid Response:

If necessary, subsequent cost caps may be determined using page 2 following the successful completion of the activities under the initial cost cap. Approval shall be obtained through a request to Commerce for a change order. The request shall include a summary of costs incurred to date under the existing bid cap. The subsequent cost cap amount may be adjusted up (or down) based on the outcome of the completed work activities.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Milwaukee Turners Hall

COMMERCE #: 53203-1399-34

BRRTS #: 03-41-152590

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Milwaukee Turners Hall

COMMERCE #: 53203-1399-34

BRRTS #: 03-41-152590

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Survey all 18 site monitoring wells.	\$
2a	Develop MW-16, MW-17 and MW-18.	\$
2b	Monitoring well groundwater sampling (1 st & 3 rd quarters = 18 wells total).	\$
2c	Monitoring well groundwater sampling (2 nd & 4 th quarters = 14 wells total).	\$
3a	Preliminary technical report.	\$
3b	Final technical report.	\$
3c	Waste disposal (assume 3 drums soil & 5 drums water).	\$
3d	PECFA Claim Preparation and web-reporting.	\$
	CONTINGENCY TASKS	\$
4a	Advance/sample 2 soil borings to 20 ft. bgs.	\$
4b	Install 2 NR141 monitoring wells in the borings.	\$
4c	Survey, develop, and quarterly monitoring the 2 wells twice.	\$
	Total Bid Amount	\$